

IN THE UNITED STATES DISTRICT COURT
OF MARYLAND

JAMES QUICKLEY

Defendant

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

vs.

AUG 25 2008 Criminal Case No: CCB-00-0517

UNITED STATES OF AMERICA

Respondent

CLERK'S OFFICE
AT BALTIMORE DEPUTY

**MOTION FOR MODIFICATION OF CURRENTLY
IMPOSED SENTENCE PURSUANT TO 18 USC
§ 3582(c)(2), amendment 9.**

Comes Now the Defendant, James Quickley being Pro Se, to Respectfully move this Honorable Court pursuant to 18 USC § 3582(c)(2) and amendment 9, under U.S.S.G 1B1.10 for resentencing of his career offender sentencing based on his "crack" conviction/possession of firearm relating to Arm Career offender sentence he is currently serving.

JURISDICTION

Jurisdiction is invoked pursuant to 18 USC § 3582(c)(2), Modification of an imposed term of Imprisonment, and ground for Departure pursuant to United States Sentencing Commission New Policy Statements of Amends, as amended November 1, 2007 at U.S.S.G. § 1B1.10, and incorporated into the Guideline Manual.

STATEMENT OF FACTS

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Petitioner James Quickley was convicted of possession of firearm after having been convicted of Distribution of Cocaine Base "crack" in the State of Maryland (case No: 100242020.

Petitioner's Attorney was David Thomas/Public Defender, and Jack Purcell was the Assistant U.S. Attorney.

Petitioner was found guilty of violating Title: 18 Section 922(a)(1), (Felon in possession of a firearm) dated on 09/13/00. CATHERINE C. BLAKE was the presiding U.S. District Court Judge.

ARGUMENT

Now Come James Quickley, the Petitioner seeking for Modification of his current imposed sentence pursuant to 18 USC § 3582(c)(2) and Amendment 9.

Petitioner argues that his firearm conviction was ran concurrent with his conviction for Distribution of "crack", which supports that "crack" was involved in his case, and qualifies him to be considered for the Two level reduction pursuant to amendment 9. Petitioner contends in respect to the Prosecutor's allegation that he used the firearm in committing or attempting another offense, he was enhanced for the drugs. Petitioner contends that the drug offense was part of the current offense of conviction, and that it should not have been used to enhance his sentence.

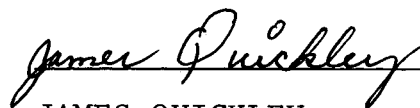
Petitioner declares, due to the following reasons mention above, and because his sentence involve distribution of "crack" cocaine, he prays that this Honorable Courts recognize it's jurisdiction pursuant to 3582(c)(2) and amendment 9, and grant him the two level reduction in the interests of justice.

CERTIFICATE OF SERVICE

I JAMES QUICKLEY, hereby certify that I have served the original and two other copy of this motion pursuant to 18 USC § 3582 (c) (2), Modification of an imposed term of Imprisonment, and ground for Departure pursuant to United States Sentencing Commission New Policy Statements of Amends, as amended November 1, 2007 at U.S.S.G. § 1B1.10, and as incorporated into the Guideline Manual.

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
101 LOMBARD ST. BALTIMORE,
MD. 21201

Theses documents are being served to the Clerk of Courts by first class mail on this day being the 21 first day of August 2008.


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